IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.2190 OF 2005

Santosh Babaji Chalake).. Petitioner

Versus

Conservator of Forest (Wild Life))
Kolhapur and others).. Respondents

Mr.V.Y.Jadhav for the Petitioner.

Mr.C.R.Sonawane, Assistant Government Pleader, for the Respondents

CORAM: SMT.NISHITA MHATRE, J.

DATED: 11TH AUGUST 2005

P.C.:

. This Petition challenges an interim order dated 23rd February 2005 passed by Member, Industrial Court, Satara below Exhibit U-2 in Complaint (ULP) No.38 of 2004 filed under Item 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (hereinafter referred to as "the Act"). The Petitioner has claimed that the Respondents have committed unfair labour practices under Items 5, 6, 9 and 10 of Schedule IV of the Act. An application for interim relief was made by the Petitioner. The prayer in the interim relief application is for continuing the Petitioner in service. The interim relief application has been dismissed by the Industrial

Court.

2. An affidavit of one Ashok A. Shendge, Assistant Conservator of Wild Life, Office of Conservator of Forest, Wild Life, Kolhapur Circle, Kolhapur dated 8th July 2005 is filed on behalf of the Respondents in this Court. In paragraph 8 of the said affidavit, the Respondents state that the Petitioner's services are being utilised as and when required and accordingly his services will be continued to be utilised during the pendency of the Complaint as and when required by the Respondents. A chart has been annexed to the affidavit showing that the Petitioner has been continued in service on daily wages from April 1997 onwards and is being paid a lump sum amount of wages per month. I see no reason to interfere with the impugned order.

3. According to the Petitioner, he is in service at present. The Petitioner shall be continued in service for a period of three months during which time the Industrial Court, Satara will dispose of the Complaint.

4. Writ Petition disposed of accordingly.